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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/754,573

01/12/2004

Masanori Hashimoto

25918

8241

20529 7590 10/28/2008
THE NATH LAW GROUP
112 South West Street
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EXAMINER

CHIO, TAT CHI

ART UNIT

PAPER NUMBER

2621

MAIL DATE

DELIVERY MODE

10/28/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/754,573	Applicant(s) HASHIMOTO, MASANORI	
	Examiner TAT CHI CHIO	Art Unit 2621	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 04 August 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-4 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-4 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 8/4/2008 has been entered.

Response to Arguments

2. Applicant's arguments filed 8/4/2008 have been fully considered but they are not persuasive.

Applicant argues that the combination of Nagasawa et al., Kuroda, and Ando et al. does not teach the limitation "establishing a second data transmission route between the control apparatus and another selected recording subunit each time a recording by the one selected recording subunit **approaches its end so that the second data transmission route is established before the first data transmission route is disconnected** when the continuous recording is selected through said recording subunit selection means "

In response, the examiner respectfully disagrees. Nagasawa et al. teach when the tape remaining amount of the video tape cassette set in the tape transport 22 or 29 which is set in the recording operation mode is smaller than a certain set value, the other tape transport 29 or 22 is automatically set in the recording operation mode. It

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shows that when one of the tape transports approaches its end, the other tape transport starts the recording operation in column 7 and lines 58-64. Therefore, Nagasawa et al. teach the limitation "establishing a second data transmission route between the control apparatus and another selected recording subunit each time a recording by the one selected recording subunit approaches its end so that the second data transmission route is established before the first data transmission route is disconnected when the continuous recording is selected through said recording subunit selection means"

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nagasawa et al. (5,877,906) in view of Kuroda (US 6,311,011 B1) and Ando et al. (US 2001/0018727 A1).

Consider claims 1 and 3, Nagasawa et al. teach a control apparatus connected to a plurality of target apparatuses via a communication line, comprising:

- recording subunit display means for displaying a list of recording subunits, installed in said plurality of target apparatuses (col. 7, lines 40-50)
- recording subunit selection means for accepting a selection of recording subunits, on which data is to be recorded, from the list of recording

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subunits displayed on the screen by said recording subunit display means (col. 7, lines 40-50);

- recording option selection means for accepting a selection of simultaneous recording or continuous recording (20 of Fig. 2 and col. 7, lines 40-50);
- said simultaneous recording being a recording mode in which data is recorded simultaneously on the recording subunits selected through said recording subunit selection means (col. 8, lines 4-7), said continuous recording being a recording mode in which data is recorded on the recording subunits, selected through said recording subunit selection means, in an order in which the recording subunits are selected (col. 7, lines 58-67);
- transmission route establishment means for simultaneously establishing a data transmission route between the control apparatus and each of all the selected recording subunits when the simultaneous recording is selected through said recording subunit selection means, and sequentially establishing a first data transmission route between the control apparatus and one selected recording subunit and establishing second a data transmission route between the control apparatus and another selected recording subunit each time a recording by the one selected recording subunit approaches its end so that the second data transmission route is established before the first data transmission route is disconnected when

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the continuous recording is selected through said recording subunit selection means (col. 4, line 50-col. 5, line 8, and col. 7, lines 58-67 and 21 of Fig. 2).

However, Nagasawa et al. do not explicitly teach recording subunit display means for displaying a list of recording subunits on a screen.

Kuroda teaches recording subunit display means for displaying a list of recording subunits on a screen (Fig. 5). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate a screen displaying recording subunits to provide users with a user-friendly interface to select recording subunits.

However, Nagasawa et al. and Kuroda do not explicitly teach using IEEE 1394 interface.

Ando et al. teach using IEEE 1394 interface in a recording device ([0969] and [0986]). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the IEEE 1394 interface in the device to prevent other information from being written in the position in which data is to be recorded.

Consider claims 2 and 4, Nagasawa et al. teach the control apparatus wherein, said transmission route establishment means establishes a point-to-point connection for the data transmission route (Fig. 2, 21 and 22 of Fig. 2 is a point-to-point connection, and 21 and 29 is a point-to-point connection).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to TAT CHI CHIO whose telephone number is (571)272-9563. The examiner can normally be reached on Monday - Thursday 9:00 AM-5:00 PM EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thai Tran can be reached on (571)-272-7382. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/T. C. C./
Examiner, Art Unit 2621

/Thai Tran/
Supervisory Patent Examiner, Art Unit 2621